



SA 09752 724

DAC/CFC/JFW
U.S. PATENT NO. 7,026,293
ATTORNEY DOCKET NO.: 58777.000003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,026,293 B2 Application Number 09/752,724
Applicant : Masafumi KITAKAZE
Issued : April 11, 2006
Title : TREATMENT OR PROPHYLAXIS OF ISCHEMIC HEART DISEASE
TC/Art Unit : 1653
Examiner : Rita MITRA
Docket No. : 58777.000003
Customer No. : 21967

ATTN: CERTIFICATE OF CORRECTION BRANCH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION
OF PATENT UNDER 37 C.F.R. § 1.323

Sir:

Patentee respectfully requests a Certificate of Correction from the United States Patent and Trademark Office (“USPTO”) under 37 C.F.R. § 1.323. As explained below, in issued U.S. Patent No. 7,026,293 B2, the name of the Assignee “Daichi Suntory Pharma Co., Ltd.” should be changed to “Daiichi Asubio Pharma Co., Ltd.” See Patent Assignment Abstract of Title (**Exhibit A**).

Pursuant to M.P.E.P. § 1481.01, Patentee states that the assignment was submitted for recordation as set forth in 37 C.F.R. § 3.11 before issuance of the patent. Accordingly, Patentee submits herein a request for certificate of correction under 37 C.F.R. § 1.323 along with the fee of \$100.00 as set forth in 37 C.F.R. § 1.20(a) and the processing fee of \$130.00 as set forth in 37 C.F.R. § 1.17(i).

07/17/2006 MGEBREM1 00000088 7026293

01 FC:1811
02 FC:1464

100.00 0P
130.00 0P

On April 7, 2003, Patentee filed a Notice of Recordation of Assignment Document to record with the USPTO the assignment of the patent application to Daiichi Suntory Pharma Co., Ltd. The USPTO mailed a Notice of Recordation of Assignment Document on September 3, 2003 confirming the assignment of the above-captioned patent application to Daiichi Suntory Pharma Co., Ltd. See Reel/Frame 013929/0012.

On March 10, 2005, the USPTO issued a Notice of Allowance and Fee(s) Due for the patent application. On June 10, 2005, Patentee paid the Issue Fee and listed "Daiichi Suntory Pharma Co., Ltd." as the assignee on the Issue Fee Transmittal Form (PTOL-85).

However, after payment of the issue fee, the assignee changed its name. Accordingly, on October 31, 2005, Patentee filed a Notice of Recordation of Assignment Document to record with the USPTO the Change of Name from Daiichi Suntory Pharma Co., Ltd. to Daiichi Asubio Pharma Co., Ltd. The Change of Name was recorded and confirmed by the USPTO prior to the issuance of U.S. Patent No. 7,026,293 on April 11, 2006.

As discussed herein, Patentee submitted the assignee's name change on October 31, 2005 (resubmitted February 22, 2006). The USPTO sent a Notice of Recordation of Assignment Document confirming the name change to "Daiichi Asubio Pharma Co., Ltd." on March 9, 2006. See Reel/Frame 017279/0094. Therefore the submission and recordation of the assignee's name change was completed before the issuance of U.S. Patent No. 7,026,293 on April 11, 2006. Therefore, U.S. Patent No. 7,026,293 should reflect the correct assignee as Daiichi Asubio Pharma Co., Ltd. However, the published assignee does not match the correct assignee listed on the USPTO's Patent Assignment Abstract of Title. Accordingly, Patentee respectfully requests the correction of the name of the assignee based on the filing of the Notice of Recordation of Assignment prior to the issuance of the patent.

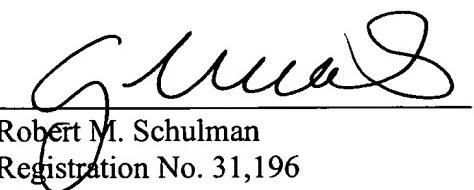
Attached are two copies of a Certificate of Correction Form PTO/SB/44 that indicates the type and location of the errors on page 1 at item (73). Patentee respectfully requests that the Commissioner certify these forms, and return one of the forms to undersigned counsel, who is the attorney of record.

CONCLUSION

Please charge any shortage in fees due in connection with the filing of this communication, including any petition fees, to **Deposit Account No. 50-0206**, and please credit any excess fees to such deposit account.

Respectfully submitted,

By:


Robert M. Schulman
Registration No. 31,196

Christopher J. Nichols, Ph.D.
Registration No. 55,984

HUNTON & WILLIAMS LLP
Intellectual Property Department
1900 K Street, N.W., Suite 1200
Washington, DC 20006-1109
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(202) 778-2201 (facsimile)

RMS/CJN:sc

U.S. PATENT NO. 7,026,293
ATTORNEY DOCKET No.: 58777.000003

Exhibit A

**Patent Assignment Abstract of Title
for U.S. Patent No. 7,026,293**



United States Patent and Trademark Office

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Assignments on the Web > Patent Query

Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications.
For pending or abandoned applications please consult USPTO staff.

Total Assignments: 4

Patent #: 7026293 **Issue Dt:** 04/11/2006 **Application #:** 09752724 **Filing Dt:** 01/03/2001

Publication #: US20010027181 **Pub Dt:** 10/04/2001

Inventor: Masafumi Kitakaze

Title: TREATMENT OR PROPHYLAXIS OF ISCHEMIC HEART DISEASE

Assignment: 1

Reel/Frame: 011759/0475 **Recorded:** 05/01/2001 **Pages:** 3

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: KITAKAZE, MASAFUMI **Exec Dt:** 04/13/2001

Assignee: SUNTORY LIMITED

1-40, DOJIMAHAMA 2-CHOME, KITA-KU, OSAKA-SHI
OSAKA, JAPAN

Correspondent: HUNTON & WILLIAMS

ROBERT M. SCHULMAN, ESQ.
1900 K STREET, N.W.
SUITE 1200
WASHINGTON, D.C. 20006-1109

Assignment: 2

Reel/Frame: 013929/0012 **Recorded:** 04/07/2003 **Pages:** 3

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignor: SUNTORY LIMITED

Exec Dt: 03/28/2003

Assignee: DAIICHI SUNTORY PHARMA CO., LTD.

5-7-2, KOJIMACHI
CHIYODA-KU, TOKYO, JAPAN

Correspondent: HUNTON & WILLIAMS

ROBERT M. SCHULMAN
1900 K STREET, N.W.
STE. 1200
WASHINGTON, DC 20006-1109

Assignment: 3

Reel/Frame: 017279/0094 **Recorded:** 10/31/2005 **Pages:** 22

Conveyance: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

Assignor: DAIICHI SUNTORY PHARMA CO., LTD.

Exec Dt: 10/01/2005

Assignee: DAIICHI ASUBIO PHARMA CO., LTD.

9-11, AKASAKA 2-CHOME, MINATO-KU
TOYKO 107-8541, JAPAN

Correspondent: ROBERT M. SCHULMAN
INTELLECTUAL PROPERTY DEPARTMENT
HUNTON & WILLIAMS LLP
1900 K STREET, N.W., SUITE 1200
WASHINGTON, DC 20006-1109

Assignment: 4

Reel/Frame: 017433/0745

Recorded: 04/04/2006

Pages: 3

Conveyance: CHANGE OF NAME TO CORRECT ADDRESS OF RECEIVING PARTY TO RECITE "TOKYO" -
REEL/FRAME: 017279/0094

Assignor: DAIICHI SUNTORY PHARMA CO., LTD.

Exec Dt: 10/01/2005

Assignee: DAIICHI ASUBIO PHARMA CO., LTD.
9-11, AKASAKA 2-CHOME, MINATO-KU
TOKYO, JAPAN 107-8541

Correspondent: ROBERT M. SCHULMAN
INTELLECTUAL PROPERTY DEPARTMENT
HUNTON & WILLIAMS LLP
1900 K STREET, N.W.; SUITE 1200
WASHINGTON, DC 20006-1109

Search Results as of: 07/14/2006 12:08 PI

If you have any comments or questions concerning the data displayed, contact OPR / Assignments at 571-272-3350

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO. : 7,026,293 B2

DATED : April 11, 2006

INVENTOR(S) : Masafumi Kitakaze

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 1, first column, item (73), change "DAIICHI SUNTORY PHARMA CO., LTD." to —DAIICHI ASUBIO PHARMA CO., LTD.—;

MAILING ADDRESS OF SENDER:

PATENT NO. 7,026,293 B2

HUNTON AND WILLIAMS LLP
1900 K Street, NW, Suite 1200
Washington, DC 20006-1109

Attorney Docket No.: 58777.000003

No. of additional copies 1

1 of 1

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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